

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LORI A. KESTER,

Plaintiff,

v.

Civil Case No. 17-10288
Honorable Linda V. Parker

NANCY A. BERRYHILL, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**OPINION AND ORDER (1) ADOPTING MAGISTRATE JUDGE'S
JANUARY 17, 2018 REPORT AND RECOMMENDATION; (2) DENYING
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT; (3) GRANTING
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT; AND (4)
AFFIRMING DEFENDANT'S DECISION DENYING PLAINTIFF SOCIAL
SECURITY BENEFITS**

On January 30, 2017, Plaintiff filed this lawsuit challenging Defendant's final decision denying her application for social security benefits. Also on January 30, 2017, this Court referred the lawsuit to Magistrate Judge Elizabeth A. Stafford for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation ("R&R") on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 3.) The parties subsequently filed cross-motions for summary judgment. (ECF Nos. 17 & 22.)

On January 17, 2018, Magistrate Judge Stafford issued a R&R recommending that this Court deny Plaintiff's motion for summary judgment, grant Defendant's motion, and affirm Defendant's decision denying Plaintiff's application for social security benefits. (ECF No. 24.) At the conclusion of the R&R, Magistrate Judge Stafford advised the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at Pg ID 741-42.) She further specifically advised the parties that "[f]ailure to file specific objections constitutes a waiver of any further right to appeal." (*Id.* at Pg ID 742.) Neither Plaintiff nor Defendant filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Stafford. The Court therefore adopts Magistrate Judge Stafford's January 17, 2018 R&R.

Accordingly,

IT IS ORDERED that Plaintiff's motion for summary judgment (ECF No. 17) is **DENIED**;

IT IS FURTHER ORDERED that Defendant's motion for summary judgment (ECF No. 22) is **GRANTED**;

IT IS FURTHER ORDERED that Defendant's decision denying Plaintiff's application for social security benefits is **AFFIRMED**.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: February 26, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, February 26, 2018, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager